

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE: **ROBIN M. MCDOUGALL**

Case Number: 09-57405 SWR
Chapter 13
Judge RHODES

Debtor.

WILLIAM D. JOHNSON (P54823)
ACCLAIM LEGAL SERVICES, P.L.L.C.
17117 W. Nine Mile Road, Suite 925
Southfield, MI 48075
(248) 443-7033

ORDER CONFIRMING PLAN

The debtor(s) Chapter 13 plan was duly served on all parties in interest. A hearing on confirmation of the plan was held after due notice to parties in interest. Objections, if any, have been resolved. The Court hereby finds that each of the requirements for confirmation of a Chapter 13 plan pursuant to 11 U.S.C. '1325(a) are met.

Therefore, IT IS HEREBY ORDERED that debtor(s) Chapter 13 plan, as last amended, if at all, is confirmed.

IT IS FURTHER ORDERED that the claim of ACCLAIM LEGAL SERVICES, PLLC attorney for the debtor(s), for the allowance of compensation and reimbursement of expenses is allowed in the total amount of **\$3,000.00** in fees and \$0 in expenses, and that the portion of such claim which has not already been paid, to-wit: **\$3000.00** shall be paid by the Trustee as an administrative expense of this case and **shall be paid at the rate of \$1,500.00 in the first month following confirmation and \$150.00 per month thereafter until paid in full.**

IT IS FURTHER ORDERED that the debtor(s) shall maintain all policies of insurance on all property of the debtor(s) and this estate as required by law and contract.

All filed claims to which an objection has not been filed are deemed allowed pursuant to 11 U.S.C. '502(a), and the Trustee is therefore ORDERED to make distributions on these claims pursuant to the terms of the Chapter 13 plan, as well as all fees due to the Clerk pursuant to statute.

IT IS FURTHER ORDERED as follows: [Only provisions checked below apply]

- [X] The Debtor shall remit 100% of all tax refunds to which Debtor is entitled during the pendency of the Plan and shall not alter withholdings without Court approval. The Internal Revenue Service is ordered to direct to the Chapter 13 Trustee the requisite refund to which the Debtor(s) become(s) entitled during the pendency of this Chapter 13 proceeding. The Internal Revenue Service will be served a copy of this order and shall have 25 days to object to this order.
- [X] The debtor(s) Plan payments shall be increased to \$1,236.71 per Monthly effective the 14th day of October, 2009.
- [X] Capital One Auto Finance shall be paid pursuant to their proof of claim and shall have a Class 5 claim of \$10, 845.65 for the 2003 Honda Civic at 5.25% in equal monthly payments over the life of the plan.
- [X] Capital One Auto Finance is not required to file an amended proof of claim pursuant to LBR 4001-6(c).
- [X] BAC Home Loans Servicing shall be paid pursuant to their proof of claim and shall have a Class 4 claim of \$9,010.86 at 7.00% to be paid over 44 months.
- [X] The class two claim of BAC Home Loans and the Class 5 claim of Capital One Auto Finance shall be paid concurrently and pro rata.
- [X] The second paragraph of section D.1.b of Debtor's proposed Chapter 13 plan is hereby stricken as to the Trustee reserving \$3000.00 for 30 days for payment of attorney fees.
- [X] 2008 tax refunds will be remitted to the Trustee within 10 days of receipt.

OBJECTIONS WITHDRAWN:

For Creditor BAC Home Loans Servicing: /s/ Laura Davis (P71064)

For Creditor Capital One Auto Finance: /s/ Monica Hunt (P68838)

/s/Krispen S. Carroll
STANDING CHAPTER 13 TRUSTEE
Krispen Carroll, Standing Chapter 13 Trustee
719 Griswold Street
Detroit, MI 48226
(313) 962-5035
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/s/ Daniel C. DiCicco
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Signed on October 17, 2009

/s/ Steven Rhodes

Steven Rhodes

United States Bankruptcy Judge